

RECLAMATION

Managing Water in the West

FINDING OF NO SIGNIFICANT IMPACT

Award of WaterSMART Grant for Tracy Lake Groundwater Recharge Project, North San Joaquin Water Conservation District

FONSI-14-06-CCAO

Recommended by:

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6/5/14

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Introduction

Background

In accordance with section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the Bureau of Reclamation (Reclamation), has determined that providing funding, under a WaterSMART grant, to North San Joaquin Water Conservation District (NSJWCD) for construction of a new water diversion intake structure with a fish screen in the Mokelumne River is not a major Federal action that will significantly affect the quality of the human environment and an Environmental Impact Statement is not required. This Finding of No Significant Impact (FONSI 14-06-CCAO) is supported by Reclamation's Environmental Assessment (EA), *Award of WaterSMART Grant for Tracy Lake Groundwater Recharge Project*, which is hereby incorporated by reference. The EA describes the existing environmental resources in the Proposed Action area, evaluates the effects of the No Action and Proposed Action alternatives on the resources, and proposes measures to avoid, minimize, or mitigate any adverse effects.

Reclamation provided the public with an opportunity to comment on the EA; however, one comment was received.

Proposed Action

Reclamation proposes to provide funding, under a WaterSMART grant, to NSJWCD for construction of a new water diversion intake structure with a fish screen in the Mokelumne River including a pump station and pipeline to convey the diverted water to Tracy Lake.

NSJWCD's proposed project is construction of a new water diversion intake structure with a fish screen in the Mokelumne River for the Tracy Lake Groundwater Recharge Project.

Best Management Practices

NSJWCD, or the general contractor, will implement the best management practices (BMPs) as part of the proposed project to minimize and avoid potential impacts to environmental resources. Where applicable, the BMPs will be clearly identified on the construction drawings and in the specifications. The proposed project's construction permit will address NPDES criteria as set by the State Water Resources Control Board (SWRCB). The contractor also will be required to implement the BMPs in a timely manner. BMPs are described in the *Award of WaterSMART Grant for Tracy Lake Groundwater Recharge Project* environmental assessment and are incorporated by reference.

Mitigation Measures

Mitigation measures are described in the *Award of WaterSMART Grant for Tracy Lake Groundwater Recharge Project* environmental assessment and are incorporated by reference.

Permitting

Federal funding will not be provided until NSJWCD receives Section 404 and 401 permits; a 1600 Streambed Alteration permit from California Department of Fish and Wildlife is received; and permitting is completed with the State Water Resources Control Board.

Findings

Indian Trust Asset

The Proposed Action does not have a potential to affect Indian Trust Assets.

Indian Sacred Sites

The Proposed Action will not be located on or impact federal lands and therefore will not affect any Indian sacred sites on federal lands.

Environmental Justice

There will be no impact to any populations; therefore, there will be no adverse human health or environmental effects to minority or low-income populations.

Water Resources

Under the Proposed Action Reclamation will provide funding for NSJWCD's proposed project. There will be no changes to water quality as a result of the Proposed Action as the Mokelumne River is the natural recharge source for this area.

The Proposed Action does not include additional groundwater pumping; it will help water-level impacts associated with existing groundwater pumping.

Land Resources

Under the Proposed Action, Reclamation will fund the proposed project. Under the proposed project, up to 7,000 acres of irrigated land will be served. There will be no land use changes as a result of the Proposed Action.

Biological Resources

Construction-related impacts considered construction timing, physical habitat disturbance, potential for physical injury, salmonid life-stage, noise, turbidity, sedimentation and erosion as a result of in-river work, and hazardous spills.

The potential long-term operations-related effects of the proposed project will be minimized through the design features of facilities, and the water diversion scheduling and regulatory requirements under which Tracy Lake Improvement District will operate the facilities.

The fish screen intake and pump station facility will comply with current NOAA Fisheries and CDFW design specifications to minimize and avoid entrainment of anadromous salmonids. The potential for habitat loss, alteration, or increased predation associated with the in-river facilities is expected to be low due to the relatively small area of disturbance. Water diversion from the Mokelumne River to Tracy Lake will occur only in years when surplus water is available.

The potential for operations-related affects to cause direct lethality or injury, or otherwise adversely affect fishes or habitat, is low. For these reasons, the potential for operations-related activities to adversely affect ESA-listed anadromous salmonids or their habitat is very low.

Potential impacts to Swainson's hawk will be avoided or minimized through implementation of participation in SJMSCP, pre-construction surveys, and BMPs implemented as part of the proposed project. If Swainson's hawks are identified in the construction or staging areas, NSJWCD will incorporate measures to minimize impacts pursuant to the SJMSCP.

The operations-related activities including pump station operation and maintenance, and water diversions, will involve minimal noise or other disturbances in the project area, and thus will not directly affect special-status bird nesting or foraging activities.

NSJWCD has consulted with U.S. Fish and Wildlife Service and has developed a habitat conservation plan. Because measures through the SJMSCP have been incorporated to minimize potential impacts, the Proposed Action is not likely to produce potential stressors expected to act directly on individual organisms or to have direct or indirect consequences on the environment; therefore, there will be no effect to listed species.

Reclamation consulted with NOAA Fisheries and provided a biological assessment February 7, 2014; Reclamation requested concurrence from NMFS that the Proposed Action may affect, but is not likely to adversely affect California Central Valley steelhead. Reclamation received NOAA Fisheries concurrence, dated May 23, 2014, that the proposed project may affect, but is not likely to adversely affect listed California Central Valley steelhead and their designated critical habitat.

Cultural Resources

Under the Proposed Action, Reclamation will fund the proposed project. The Proposed Action will result in no historic properties being affected pursuant to 36 CFR Part 800.4(d)(1). Reclamation sent a letter to the State Historic Preservation Officer (SHPO) on December 11, 2013, inviting SHPO's comments and requesting concurrence with Reclamation's finding of no historic properties affected. SHPO failed to respond within the 30-day review period pursuant to 36 CFR Part 800.3(c)(4). In accordance with CFR Part 800.4(d)(1)(i), if SHPO does not object within 30 days of an adequately documented finding, the agency's responsibilities are fulfilled.

Air Quality

The Proposed Action has been estimated to approximately produce no more than 9.81 tons/year of ozone precursors and no more than 0.87 tons/year of PM₁₀ which is below the SJVAPCD *de minimis* levels that will trigger a need for a full conformity analysis (Table 7). Therefore, a general conformity analysis is not required.

Green House Gas and Climate Change

Under the Proposed Action, Reclamation will fund the proposed project. While any increase in GHG emissions will add to the global inventory of gases that will contribute to global climate change, the proposed project will result in potentially minimal increases in GHG emissions. GHG generated by the proposed project has been estimated to be no greater than 790 tons/year. Since the amount of CO₂ emitted from the proposed project is under the 25,000 metric ton/year threshold, no report is required to be submitted to the EPA and CARB.

Cumulative Impacts

When taking into consideration other past, present, and reasonably foreseeable projects, the Proposed Action will not contribute to impacts that could significantly affect the quality of the human environment.